

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 06 1992

Returned to applicant for correction NOV 12 1992

Corrected application filed Map filed NOV 25 1992

The applicant Joseph B. Key, Trustee of the Cabana Motel, Inc. Pension Plan

P. O. Box 818

Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89504

State and Zip Code No.

hereby make^S application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Proof No. 05753

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Jackstone Spring

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .0062 cfs

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Stockwater (200 Cattle)

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Stockwater (200 Cattle)

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, T36N, R56E, MDB&M.,

Describe as being within a 40-acre subdivision of public survey and by course and

at a point from which the SE corner of said Section 18 bears S 54° 57' 20"

distance to a section corner. If on unsurveyed land, it should be stated.

E, 2129.50 feet.

6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T36N, R55E,

If point of diversion is not changed, do not answer.

MDB&M., at a point from which the SE corner of said Section 12 bears S 82°

00' 00" E, 1090.00 feet.

7. Proposed place of use NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T36N, R56E, MDB&M.

8. Existing place of use SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T36N, R55E, MDB&M.

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from April 1 to November 30 of each year.

Month and Day

Month and Day

10. Use was permitted from April 1 to November 30 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Improved Spring, Pipelines and Troughs

State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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.....

..... HIGH DESERT Engineering, Agent
By s/Duane V. Merrill
Duane V. Merrill
640 Idaho Street
Elko, NV 89801

Compared bc/bc dl/gkl

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of Jackstone Spring heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water V05753 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of «4» that may be made under adjudication proceedings under NRS 533.090 through 533.320.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0062 cubic feet per second, or sufficient to water 200 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 23, 2008

Proof of completion of work shall be filed on or before:

April 23, 2008

Water must be placed to beneficial use on or before:

March 23, 2011

Proof of the application of water to beneficial use shall be filed on or before:

April 23, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of March, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A

Certificate No. _____ Issued _____